

Form PTO-1449

Docket Number: 00031.05 CON

Application Number: 10/775,586

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004

Group Art Unit: Not Yet Known

1616

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|----------------------|-------------|------------|--------------|----------------------|-------|----------|-------------------------------|
| <i>ML</i> | 1. | 02/02/1971 | 3,560,607 | Hartley et al. | | | |
| | 2. | 05/27/1980 | Re. 30,285 | Babington | | | |
| | 3. | 01/23/1990 | 4,895,719 | Radhakrishnun et al. | | | |
| | 4. | 09/17/1991 | 5,049,389 | Radhakrishnan | | | |
| | 5. | 03/31/1992 | 5,099,861 | Clearman et al. | | | |
| | 6. | 02/14/1995 | 5,388,574 | Ingebrethsen | | | |
| | 7. | 08/13/1996 | 5,544,646 | Lloyd et al. | | | |
| | 8. | 08/12/1997 | 5,655,523 | Hodson et al. | | | |
| | 9. | 12/09/1997 | 5,694,919 | Rubsamen et al. | | | |
| | 10. | 04/07/1998 | 5,735,263 | Rubsamen et al. | | | |
| | 11. | 04/14/1998 | 5,738,865 | Baichwal et al. | | | |
| | 12. | 06/02/1998 | 5,758,637 | Ivri et al. | | | |
| | 13. | 06/29/1999 | 5,915,378 | Lloyd et al. | | | |
| | 14. | 08/10/1999 | 5,934,272 | Lloyd et al. | | | |
| | 15. | 09/28/1999 | 5,957,124 | Lloyd et al. | | | |
| | 16. | 10/05/1999 | 5,960,792 | Lloyd et al. | | | |
| | 17. | 11/30/1999 | 5,993,805 | Sutton et al. | | | |
| | 18. | 03/28/2000 | 6,041,777 | Faithfull et al. | | | |
| | 19. | 04/18/2000 | 6,051,566 | Bianco | | | |
| | 20. | 08/01/2000 | 6,095,153 | Kessler et al. | | | |
| | 21. | 08/15/2000 | 6,102,036 | Slutsky et al. | | | |
| | 22. | 06/05/2001 | 6,241,969 | Saidi et al. | | | |
| | 23. | 07/03/2001 | 6,255,334 | Sands | | | |
| | 24. | 10/23/2001 | 6,306,431 | Zhang et al. | | | |
| <i>M</i> | 25. | 01/14/2003 | 6,506,762 | Horvath et al. | | | |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

| | | |
|--|--|--------------------------------|
| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i> | Docket Number: 00031.05 CON | Application Number: 10/775,586 |
| | Applicant: Joshua D. RABINOWITZ et al. | |
| | Filing Date: 2/9/2004 | Group Art Unit: Not Yet Known |
| | | |

| | | | | | | | | |
|----------|-----|------------|-----------------|-------------------|--|--|--|--|
| <i>M</i> | 26. | 02/04/2003 | 6,514,482 | Bartus et al. | | | | |
| | 27. | 07/15/2003 | 6,591,839 | Meyer et al. | | | | |
| | 28. | 09/06/2001 | US 2001/0020147 | Staniforth et al. | | | | |
| | 29. | 03/28/2002 | US 2002/0037828 | Wilson et al. | | | | |
| | 30. | 05/16/2002 | US 2002/0058009 | Bartus et al. | | | | |
| | 31. | 07/04/2002 | US 2002/0086852 | Cantor | | | | |
| | 32. | 08/22/2002 | US 2002/0112723 | Schuster et al. | | | | |
| | 33. | 11/28/2002 | US 2002/0176841 | Barker et al. | | | | |
| | 34. | 01/02/2003 | US 2003/0004142 | Prior et al. | | | | |
| <i>M</i> | 35. | 02/13/2003 | US2003/0032638 | Kim et al. | | | | |

RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

| | | | | | | | | |
|----------|-----|------------|------------|-------------------|--|--|--|--|
| <i>M</i> | 36. | 08/04/2003 | 10/633,876 | Hale et al. | | | | |
| | 37. | 08/04/2003 | 10/633,877 | Hale et al. | | | | |
| | 38. | 12/30/2003 | 10/749,537 | Rabinowitz et al. | | | | |
| | 39. | 12/30/2003 | 10/749,539 | Rabinowitz et al. | | | | |
| | 40. | 01/27/2004 | 10/766,149 | Rabinowitz et al. | | | | |
| | 41. | 01/27/2004 | 10/766,279 | Rabinowitz et al. | | | | |
| | 42. | 01/27/2004 | 10/766,566 | Rabinowitz et al. | | | | |
| | 43. | 01/27/2004 | 10/766,574 | Rabinowitz et al. | | | | |
| | 44. | 01/27/2004 | 10/766,634 | Rabinowitz et al. | | | | |
| | 45. | 01/27/2004 | 10/766,647 | Rabinowitz et al. | | | | |
| | 46. | 01/28/2004 | 10/767,115 | Rabinowitz et al. | | | | |
| | 47. | 01/29/2004 | 10/768,205 | Rabinowitz et al. | | | | |
| | 48. | 01/29/2004 | 10/768,220 | Rabinowitz et al. | | | | |
| | 49. | 01/29/2004 | 10/768,281 | Rabinowitz et al. | | | | |
| | 50. | 01/29/2004 | 10/768,293 | Rabinowitz et al. | | | | |
| | 51. | 01/30/2004 | 10/769,046 | Rabinowitz et al. | | | | |
| <i>M</i> | 52. | 01/30/2004 | 10/769,051 | Rabinowitz et al. | | | | |

EXAMINER:

M. J. P.

DATE CONSIDERED:

1/09/05

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number: 00031.05 CON

Application Number: 10/775,586

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004

Group Art Unit: Not Yet Known

| | | | | | | | |
|---|-----|------------|-----------------|-------------------|--|--|--|
| M | 53. | 01/29/2004 | 10/769,157 | Rabinowitz et al. | | | |
| | 54. | 01/29/2004 | 10/769,197 | Rabinowitz et al. | | | |
| | 55. | 02/09/2004 | 10/775,583 | Rabinowitz et al. | | | |
| | 56. | 03/03/2004 | 10/791,915 | Hale et al. | | | |
| | 57. | 03/03/2004 | 10/792,001 | Rabinowitz et al. | | | |
| | 58. | 03/03/2004 | 10/792,012 | Hale et al. | | | |
| | 59. | 03/03/2004 | 10/792,013 | Rabinowitz et al. | | | |
| | 60. | 03/03/2004 | 10/792,096 | Hale et al. | | | |
| | 61. | 03/03/2004 | 10/792,239 | Hale et al. | | | |
| | 62. | 03/31/2004 | 10/813,721 | Rabinowitz et al. | | | |
| | 63. | 03/31/2004 | 10/813,722 | Rabinowitz et al. | | | |
| | 64. | 03/31/2004 | 10/814,690 | Rabinowitz et al. | | | |
| | 65. | 03/31/2004 | 10/814,998 | Rabinowitz et al. | | | |
| | 66. | 04/01/2004 | 10/815,527 | Rabinowitz et al. | | | |
| | 67. | 04/01/2004 | 10/816,407 | Rabinowitz et al. | | | |
| | 68. | 04/01/2004 | 10/816,492 | Rabinowitz et al. | | | |
| | 69. | 04/01/2004 | 10/816,567 | Rabinowitz et al. | | | |
| | 70. | 08/04/2004 | 10/912,462 | Hale et al. | | | |
| | 71. | 01/23/2003 | US 2003/0015196 | Hodges et al. | | | |
| | 72. | 04/03/2003 | US 2003/0062042 | Wensley et al. | | | |
| | 73. | 11/13/2003 | US 2003/0209240 | Hale et al. | | | |
| | 74. | 01/02/2003 | US 2003/0000518 | Rabinowitz et al. | | | |
| | 75. | 01/09/2003 | US 2003/0005924 | Rabinowitz et al. | | | |
| | 76. | 01/09/2003 | US 2003/0005925 | Hale et al. | | | |
| | 77. | 01/09/2003 | US 2003/0007933 | Rabinowitz et al. | | | |
| | 78. | 01/09/2003 | US 2003/0007934 | Rabinowitz et al. | | | |
| | 79. | 01/16/2003 | US 2003/0012737 | Rabinowitz et al. | | | |
| | 80. | 01/16/2003 | US 2003/0012738 | Rabinowitz et al. | | | |
| M | 81. | 1/16/2003 | US 2003/0012740 | Rabinowitz et al. | | | |

EXAMINER: MTH

DATE CONSIDERED: 1/9/05

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number: 00031.05 CON

Application Number: 10/775,586

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant:

Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004

Group Art Unit: Not Yet Known

| | | | | | | | | |
|---|------|------------|-----------------|-------------------|--|--|--|--|
| M | 82. | 01/23/2003 | US 2003/0015189 | Rabinowitz et al. | | | | |
| | 83. | 01/23/2003 | US 2003/0015190 | Rabinowitz et al. | | | | |
| | 84. | 01/23/2003 | US 2003/0017114 | Rabinowitz et al. | | | | |
| | 85. | 01/23/2003 | US 2003/0017115 | Rabinowitz et al. | | | | |
| | 86. | 01/23/2003 | US 2003/0017116 | Rabinowitz et al. | | | | |
| | 87. | 01/23/2003 | US 2003/0017117 | Rabinowitz et al. | | | | |
| | 88. | 01/23/2003 | US 2003/0017118 | Rabinowitz et al. | | | | |
| | 89. | 01/23/2003 | US 2003/0017119 | Rabinowitz et al. | | | | |
| | 90. | 01/23/2003 | US 2003/0017120 | Rabinowitz et al. | | | | |
| | 91. | 1/30/2003 | US 2003/0021753 | Rabinowitz et al. | | | | |
| | 92. | 01/30/2003 | US 2003/0021754 | Rabinowitz et al. | | | | |
| | 93. | 01/30/2003 | US 2003/0021755 | Hale et al. | | | | |
| | 94. | 02/20/2003 | US 2003/0035776 | Hodges et al. | | | | |
| | 95. | 05/15/2003 | US 2003/0091511 | Rabinowitz et al. | | | | |
| | 96. | 05/27/2004 | US 2004/010148 | Hale et al. | | | | |
| | 97. | 07/31/2003 | US 2003/0138382 | Rabinowitz | | | | |
| | 98. | 11/06/2003 | US 2003/0206869 | Rabinowitz et al. | | | | |
| | 99. | 01/15/2004 | US 2004/0009128 | Rabinowitz et al. | | | | |
| | 100. | 05/20/2004 | US 2004/0096402 | Hodges et al. | | | | |
| | 101. | 05/27/2004 | US 2004/0099269 | Hale et al. | | | | |
| | 102. | 06/03/2004 | US 2004/0105818 | Hale et al. | | | | |
| | 103. | 06/03/2004 | US 2004/0105819 | Hale et al. | | | | |
| | 104. | 07/01/2004 | US 2004/0126326 | Rabinowitz et al. | | | | |
| | 105. | 07/01/2004 | US 2004/0126327 | Rabinowitz et al. | | | | |
| | 106. | 07/01/2004 | US 2004/0126328 | Rabinowitz et al. | | | | |
| | 107. | 07/01/2004 | US 2004/0126329 | Rabinowitz et al. | | | | |
| | 108. | 07/01/2004 | US 2004/0127481 | Rabinowitz et al. | | | | |
| | 109. | 07/01/2004 | US 2004/0127490 | Rabinowitz et al. | | | | |
| M | 110. | 08/12/2004 | US 2004/0156788 | Rabinowitz et al. | | | | |

EXAMINER:

DATE CONSIDERED:

1/9/05

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00031.05 CON

Application Number: 10/775,586

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004

Group Art Unit: Not Yet Known

| | | | | | | | |
|---|------|------------|-----------------|-------------------|---|---|--|
| M | 111. | 08/12/2004 | US 2004/0156789 | Rabinowitz et al. | 1 | 1 | |
| M | 112. | 8/12/2004 | US 2004/0156790 | Rabinowitz et al. | 1 | 1 | |
| M | 113. | 08/12/2004 | US 2004/0156791 | Rabinowitz et al. | 1 | 1 | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Country | Class | Subclass | Translation YES NO |
|----------------------|-------------|------------|--------------|---------|-------|----------|-----------------------|
| M | 114. | 03/14/1990 | EP 0 358 114 | Europe | | | |
| | 115. | 07/03/2001 | EP 1 080 720 | Europe | | | |
| | 116. | 08/29/2001 | EP 0 606 486 | Europe | | | |
| | 117. | 04/11/1996 | WO 96/09846 | WIPO | | | |
| | 118. | 05/09/1996 | WO 96/13161 | WIPO | | | |
| | 119. | 05/09/1996 | WO 96/13290 | WIPO | | | |
| | 120. | 05/09/1996 | WO 96/13291 | WIPO | | | |
| | 121. | 05/09/1996 | WO 96/13292 | WIPO | | | |
| | 122. | 10/03/1996 | WO 96/30068 | WIPO | | | |
| | 123. | 08/07/1997 | WO 97/27804 | WIPO | | | |
| | 124. | 05/28/1998 | WO 98/22170 | WIPO | | | |
| | 125. | 07/23/1998 | WO 98/31346 | WIPO | | | |
| | 126. | 08/27/1998 | WO 98/36651 | WIPO | | | |
| | 127. | 04/08/1999 | WO 99/16419 | WIPO | | | |
| | 128. | 12/16/1999 | WO 99/64094 | WIPO | | | |
| | 129. | 01/06/2000 | WO 00/00176 | WIPO | | | |
| | 130. | 01/06/2000 | WO 00/00215 | WIPO | | | |
| | 131. | 05/18/2000 | WO 00/27363 | WIPO | | | |
| M | 132. | 05/25/2000 | WO 00/29053 | WIPO | | | |

EXAMINER: *M&P*

DATE CONSIDERED: 01/09/05

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number: 00031.05 CON

Application Number: 10/775,586

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004

Group Art Unit: Not Yet Known

| | | | | | | | |
|---|------|------------|-------------|------|--|--|--|
| M | 133. | 9/17/2000 | WO 00/47203 | WIPO | | | |
| | 134. | 11/02/2000 | WO 00/64940 | WIPO | | | |
| | 135. | 11/09/2000 | WO 00/66084 | WIPO | | | |
| | 136. | 11/09/2000 | WO 00/66206 | WIPO | | | |
| | 137. | 12/21/2000 | WO 00/76673 | WIPO | | | |
| | 138. | 01/25/2001 | WO 01/05459 | WIPO | | | |
| | 139. | 03/28/2002 | WO 02/24158 | WIPO | | | |
| M | 140. | 03/28/2002 | WO 02/24158 | WIPO | | | |

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

| Examiner Initials | Ref. No. | Title |
|-------------------|----------|---|
| M | 141. | Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705. |
| | 142. | Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450. |
| | 143. | Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24. |
| | 144. | Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974. |
| | 145. | Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600. |
| | 146. | Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628. |
| | 147. | Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii. |
| M | 148. | Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294. |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number: 00031.05 CON

Application Number: 10/775,586

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 2/9/2004


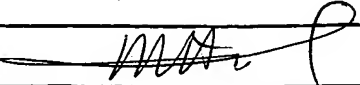
Group Art Unit: Not Yet Known

| | | |
|---|------|--|
| M | 149. | Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7. |
| | 150. | Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μ m," <i>J. Aerosol Sci.</i> 17(5):811-822. |
| | 151. | Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211. |
| | 152. | Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181. |
| | 153. | Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76. |
| | 154. | Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201. |
| | 155. | Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224. |
| | 156. | Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120. |
| | 157. | Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162. |
| | 158. | Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE" |
| | 159. | Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433. |
| | 160. | Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8. |
| | 161. | Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145. |
| | 162. | Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280. |
| | 163. | Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm , 11 pages, (visited on June 5, 2000). |
| M | 164. | Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609. |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

| | | |
|---|--|--------------------------------|
| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i> | Docket Number: 00031.05 CON | Application Number: 10/775,586 |
| | Applicant: Joshua D. RABINOWITZ et al. | |
| | Filing Date: 2/9/2004 | Group Art Unit: Not Yet Known |
| | | |
|  165. Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248. | | |
| | | |
| EXAMINER:  | DATE CONSIDERED: 1/9/05 | |
| EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. | | |
| PTO/SB/ 08 (2-92) Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE | | |